



PUBLIC NOTICE

Federal Communications Commission
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DA 03-2986

Released: September 30, 2003

**WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON REQUEST FOR
WAIVER BY BP EXPLORATION, INC. TO ALLOW THE USE OF 25 KHZ BANDWIDTH ON
OFFSET FREQUENCIES AT FOUR PETROLEUM PROCESSING PLANTS IN ALASKA**

Comment Date: October 30, 2003

Reply Comment Date: November 14, 2003

On August 15, 2003, BP Exploration, Inc., ("BP") filed an application for modification of its license for Station WPVN968,¹ which authorizes BP to conduct base/mobile operation in the 450-470 MHz band at ten locations in Alaska's North Slope. In addition to Station WPVN968, BP holds licenses for Stations KA9082 and WPWM790, which combined authorize BP to operate a system of over one thousand mobile and portable units in the area. BP requests a waiver of the bandwidth limitation of Section 90.35(c)(30)² to add mobile relay operations at four sites in the North Slope.³ BP's existing systems operate with 25 kHz bandwidth, and it is requesting to add repeaters to improve coverage and reliability throughout its processing facilities. BP requests a waiver to operate with 25 kHz bandwidth on seven frequencies.⁴ Approximately half of BP's mobile units can operate only at 25 kHz; the other units can operate at either 12.5 kHz or 25 kHz. Without a waiver BP would need to approximately five hundred radios that are only capable of 25 kHz operation. BP asserts that the North Slope of Alaska is a sparsely populated area in which the UHF land mobile band is not heavily congested, so there is no immediate need for narrowband equipment. BP also maintains that a waiver would serve the public interest because, in addition to its daily operations, the system is crucial to its accident prevention and emergency response capabilities. BP states that it would be willing to commit to converting the system to narrowband operation by January 1, 2008, rather than January 1, 2013 as provided in the Commission's Rules,⁵ as a condition of grant of the requested waiver.

¹ FCC File No. 0001338238 (filed Aug. 15, 2003).

² See 47 C.F.R. § 90.35(c)(30) "This frequency will be assigned with a bandwidth not to exceed 11.25 kHz." This is an assignment limitation appearing in the Industrial/Business Pool Frequency Table (Section 90.35(b)(3)).

³ See FCC File No. 0001338238, Location Nos. 2, 3, 4, 6, Gathering Center #1, Gathering Center #2, Gathering Center #3, Central Power Station, all located near Prudhoe Bay, North Slope, Alaska.

⁴ 460.9375 MHz, 461.0125 MHz, 461.0875 MHz, 461.2125 MHz, 461.2625 MHz, 461.9375 MHz, 461.9875 MHz.

⁵ See 47 C.F.R. § 90.209(b)(5).

Interested parties may file comments on BP's Waiver Request on or before October 30, 2003. Reply comments must be filed on or before November 14, 2003. All comments should reference BP's waiver request, including the DA number of this Public Notice, and should be filed with the Office of the Secretary, Federal Communications Commission, 445 12th Street, S.W., Room TW-325, Washington, D.C. 20554. A copy of each filing should be sent to: (1) Qualex International, Inc., Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, (202) 863-2893; (2) John Kuzma, Federal Communications Commission, Wireless Telecommunications Bureau, Public Safety and Private Wireless Division, Policy and Rules Branch, 445 12th Street, S.W., Washington, D.C. 20554; and (3) Maria Ringold, Federal Communications Commission, Consumer and Governmental Affairs Bureau, Reference Information Center, 445 12th Street, S.W., Room CY-B529, Washington, D.C. 20554.⁶

BP's application and waiver request can be accessed electronically via the Commission's Universal Licensing System, <http://wireless.fcc.gov/uls>. In addition, the full text of the waiver request, comments and reply comments will be available for inspection and duplications during regular business hours in the Reference Information Center (RIC) of the Consumer and Governmental Affairs Bureau, Federal Communications Commission, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554. Copies may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, (202) 863-2893, facsimile (202) 863-2898, or via-e-mail qualexint@aol.com. For further information regarding the public reference file for this waiver request, contact Maria Ringold, Chief, Wireless Branch, RIC, (202) 418-1355.

Unless otherwise provided, requests for waiver of the Commission's Rules are subject to treatment by the Commission as restricted proceedings for *ex parte* purposes under Section 1.1208 of the Commission's Rules, 47 C.F.R. § 1.1208. Because of the policy implications and potential impact of this proceeding on persons not parties to the waiver request, we believe it would be in the public interest to treat this case as a permit-but-disclose proceeding under the *ex parte* rules, *See* 47 C.F.R. §§ 1.1200(a), 1.1206. Therefore, subsequent to the release of this Public Notice, *ex parte* presentations that are made with respect to the issues involved in the subject Waiver Request will be allowed but must be disclosed in accordance with the requirements of Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b).

For further information, contact Mr. John Kuzma, of the Policy and Rules Branch of the Public Safety and Private Wireless Division of the Wireless Telecommunications Bureau at (202) 418-7479, TTY (202) 418-7233, or via e-mail to John.Kuzma@fcc.gov.

By the Chief, Public Safety and Private Wireless Division, Wireless Telecommunications Bureau.

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⁶ The address for FCC locations should be used only for documents filed by United States Postal Service first-class mail, Express Mail, and Priority Mail. Hand-delivered or messenger-delivered documents for the Commission's Secretary are accepted only at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002. Other messenger-delivered documents, including documents sent by overnight mail (other than United States Postal Service Express Mail and Priority Mail) should be addressed for delivery to 9300 East Hampton Drive, Capitol Heights, MD 20743. *See* FCC Announces a New Filing Location for Paper Documents and a New Fax Number for General Correspondence, *Public Notice*, 16 FCC Rcd 22165 (2001).